

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEQUAN REYES,

Plaintiff,

v.

THE CITY OF NEW YORK, et al.,

Defendants.

23 Civ. 1145 (DEH)

ORDER

DALE E. HO, United States District Judge:

On December 8, 2023, Defendants moved to dismiss the Second Amended Complaint. *See* ECF No. 52. An order issued June 14, 2024, held that the SAC does not comply with Rule 8, which requires a complaint to offer a short and plain statement of the plaintiff’s claims, but allowed Plaintiff to file a proposed Third Amended Complaint (the “TAC”) to remedy these deficiencies. *See* ECF No. 62. An order issued June 17, 2024, denied leave to file the proposed TAC, because it did not include a short and plain statement of Plaintiff’s claims. *See* ECF No. 63. That order directed Plaintiff to file a proposed Fourth Amended Complaint (the “FAC”) and stated that if nothing was received by that time, the Court would dismiss the case with prejudice. *See id.* The Court has not received any proposed FAC.

It is hereby **ORDERED** that Plaintiff’s deadline to file the proposed FAC is **EXTENDED to August 30, 2024**. If no such proposed FAC is received, then the case will be dismissed for failure to prosecute.

The Clerk of Court is respectfully directed to mail a copy of this order to the *pro se* Plaintiff.

SO ORDERED.

Dated: August 12, 2024
New York, New York

A handwritten signature in black ink, appearing to read "Dale Ho", is positioned above a horizontal line.

DALE E. HO
United States District Judge